IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH AT HYDERABAD

THE HON'BLE Mr. JUSTICE R. SUBHASH REDDY

Writ Petition No.12737 of 2006

Dated: September 4, 2006

Between:

V. Harshitha, D/o. Sri Purnachandra Rao,
Aged about 21 years, Occ: 1st MBBS Student,
Kamineni Institute of Medical Sciences,
Narketpalli, Nalgonda District.

… Petitioner

And

The Government of Andhra Pradesh, rep. by its Principal Secretary, Health, Medical & Family Welfare Dept., A.P. Secretariat, Hyderabad, and Others.

… Respondents

Order:

Petitioner, by this writ petition, seeks Mandamus to declare the action of the respondents in not properly valuing the answer scripts of the petitioner in Biochemistry, Anatomy and Physiology Paper-I examinations of 1st MBBS course as illegal and arbitrary.

2. Petitioner, a student of MBBS in the third respondent-college, appeared for first year examinations pursuant to the notification issued by the second respondent. It is stated that 1st MBBS course consists of three subjects, namely, Anatomy, Physiology and Biochemistry. When results were announced, petitioner was found to have failed in all the three papers. Thereafter, she applied for recounting and personal verification of the answer scripts and was asked to appear in person for recounting and personal verification on 14-06-2006. Having signed in token of correct counting, petitioner alleges that in paper-II of Biochemistry, for questions 11 and 12, though the evaluator has awarded 1 ½ marks each, while tabulating the marks, only ½ mark was shown.

3. Second respondent has filed counter affidavit stating that the examiners have not awarded 1-½ marks each for questions 11 and 12 in Biochemistry Paper-II, but only ½ mark each was awarded. It is stated that the petitioner was satisfied with the recounting at the time of verification of the answer scripts and signed to that effect. It is further stated that it is not uncommon to award “less/nil/zero” marks when the answers given are irrelevant or extraneous to the questions asked.

4. Except the petitioner’s own assessment with regard to the correctness of the answers given, there is no other basis. It is to be seen that expectation of students is not the criterion for awarding marks.

It is for the examiners, who are experts in the field, to look into a particular answer and make their own assessment for awarding marks, having regard to the nature of question and the way in which the student answers it. Moreover, the respondent has recounted the marks at the request of the petitioner and the petitioner has also signed to the

effect that she was satisfied with the recounting done by the respondents. In that view of the matter, no direction as sought for can be given.

5. The writ petition is devoid of merit and is accordingly dismissed. There shall be no order as to costs.

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JUSTICE R. SUBHASH REDDY.

September 4, 2006
MRR